

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

OMEGA US INSURANCE, INC.,
Plaintiff,

v.

JERRY HEITZMAN
CONSTRUCTION, et al.
Defendants.

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CIVIL ACTION NO. 4:12-cv-01484

JURY

AFFIDAVIT OF RENE M. SIGMAN

STATE OF TEXAS §
COUNTY OF HARRIS §

ON THIS DAY, Rene M. Sigman, the affiant, appeared before me, the undersigned notary public, who personally knows the affiant to be the person whose signature appears below. The affiant stated under oath to me as follows:

“My name is Rene Sigman and I am more than twenty-one (21) years of age, I am of sound mind and I am fully competent to make this affidavit. I have never been convicted of a felony or a crime involving moral turpitude. The matters stated within this affidavit are within my personal knowledge and are true and correct.

I am an attorney licensed to practice in the State of Texas and in the United States District Court for the Southern District of Texas. I am an attorney with The Mostyn Law Firm and lead counsel for Steve and Amber Mostyn in the above entitled and numbered cause. Steve and Amber Mostyn have been sued as nominal defendants in the above Declaratory Judgment action by Omega US Insurance, Inc.

Along with Kay K. Morgan, an associate attorney in the firm, we have researched, drafted and filed on behalf of the Mostyns, *Defendants Steve Mostyn and Amber Mostyn's Motion to Dismiss First Amended Complaint for Declaratory Judgment under FRCP Rules 12(b)(1) and 12(b)(6) and Defendants Steve Mostyn and Amber Mostyn's Motion for Attorney's Fees for the Necessity of Filing Defendants' Motion to Dismiss First Amended Complaint for Declaratory Judgment Under FRCP Rules 12(b)(1) and 12(b)(6).*

Ms. Morgan, who has been a licensed Texas attorney since 1980, and who is also licensed in the United States District Court for the Southern District of Texas, spent



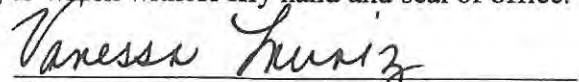
approximately 10 hours reviewing the *First Amended Complaint for Declaratory Judgment* and related pleadings in this case and researching and drafting both of the above styled motions. In addition, Ms. Morgan spent approximately 1 hour with the Mostyns gathering information with regard to the underlying facts of the Complaint. Ms. Morgan's hourly rate is \$375.00. Her total time in this matter is \$3,750.00.

I spent approximately 2 hours reviewing the facts and applicable law and the two motions prior to filing. My hourly rate is \$400.00. My total time in this matter is \$800.00. Together, Ms. Morgan and I have attorney's fees for the above work in the amount of \$4,550.00. These fees are reasonable for the nature of the work and services performed and they are those customarily charged in this area for the same or similar services by an attorney with my experience and reputation and for those with the experience and reputation of Ms. Morgan and considering the nature of the matter and the time expended.

Further Affiant saith naught."


Rene M. Sigman

SUBSCRIBED AND SWORN TO, before me, the undersigned authority, by Rene M. Sigman, on this the 12 day of July, 2012, to which witness my hand and seal of office.


Notary Public in and for the State of Texas.

Printed Name: VANESSA MUNIZ

My Commission Expires: 10/29/13

